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UBER TECHNOLOGIES, INC.  
and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

vs.

UBER TECHNOLOGIES, INC. and  
OTTOMOTTO LLC,

Defendants.

CASE NO. 3:17-cv-00939-WHA

**DECLARATION OF MEREDITH R.  
DEARBORN PURSUANT TO CIVIL  
LOCAL RULE 6-2(a)**

1 I, MEREDITH R. DEARBORN, declare as follows:

2 1. I am a partner with the law firm Boies Schiller Flexner LLP, representing  
3 Defendants Uber Technologies, Inc. and Ottomotto LLC in this matter. I am a member in good  
4 standing of the Bar of the State of California.

5 2. I make this declaration in support of the parties' second joint application to extend  
6 the deadline to return or destroy evidence imposed by Paragraph 15 of the Interim Model  
7 Protective Order.

8 3. On March 16, 2017, the Honorable William Alsup ordered that the parties be  
9 bound by the Court's Interim Model Protective Order (the "Protective Order"), a true and correct  
10 copy of which is attached as Exhibit A. *See Waymo LLC v. Uber Technologies, Inc., et al.*, 17-  
11 cv-00939-WHA, Doc. 63 at 6:22–24.

12 4. Paragraph 15 of the Protective Order provides that, "[w]ithin 60 days after the  
13 final disposition of this action, as defined in paragraph 4, each Receiving Party must return all  
14 Protected Material to the Producing Party or destroy such material." Protective Order ¶ 15. The  
15 Protective Order further requires each Receiving Party to certify in writing by the 60-day  
16 deadline (1) that all of the material subject to the Protective Order was returned or destroyed, and  
17 (2) that it has not retained copies, abstracts, compilations, or summaries of material subject to the  
18 Protective Order. *Id.*

19 5. The parties settled this lawsuit, and a final disposition was entered on February 9,  
20 2018. *See Waymo v. Uber*, Doc. No. 2650. Each Receiving Party, as defined by Paragraph 2.17  
21 of the Protective Order, has sixty days from that final disposition, until April 10, 2018, to comply  
22 with the requirements of Paragraph 15.

23 6. On April 6, 2018, the parties filed a stipulation and proposed order extending the  
24 deadline to comply with Paragraph 15 until June 11, 2018, citing the pendency of related matters  
25 that impose document preservation obligations on the parties that conflict with Paragraph 15's  
26 requirements. The parties further indicated that they "might hereafter request additional time if  
27 those obligations have not been satisfied."

7. The Court approved the stipulation and entered the proposed order on April 9, 2018, a copy of which is attached hereto as Exhibit B.

8. Related matters that impose document preservation obligations on the parties that conflict with Paragraph 15's requirements are still pending. The parties continue to anticipate that they may request additional time if those obligations have not been satisfied.

9. The parties stipulate and agree to a one-hundred-and-twenty-day extension of the deadline imposed under Paragraph 15 of the Protective Order.

10. This is the parties' second request for an extension of the time limits imposed by the Protective Order.

11. The requested extension will affect no other deadlines in this case.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 7<sup>th</sup> day of June, 2018, in Oakland, California.

*/s/ Meredith R. Dearborn*  
Meredith R. Dearborn